

leading, since such statements and design implied that the article was famous and would work wonders for man and wife, and that it never failed. The article was not famous and would not work wonders for man and wife, and there is no known disease condition in which use of the article would be infallible. Further misbranding, Section 502 (a), certain statements, together with the designs of a rooster, of a rooster chasing a hen, and of an elderly man kissing a young woman, which appeared in the above-mentioned circular accompanying a portion of the article, and certain statements in a circular wrapped around the boxes containing a portion of the article, were false and misleading, since they represented and suggested that the article never failed to give pep for man and for wife; that it was world famous; and that it would stimulate sexual desire, give new pep and vigor to users, and keep one young. The article was not world famous and would not be effective for the purposes represented.

DISPOSITION: November 19, 1947. Default decree of condemnation. A portion of the *Gen Tablets* and the *Red Rooster Pills* was ordered destroyed, and the remainder of the products was ordered delivered to the Food and Drug Administration to be used for technical and exhibit purposes.

2373. Adulteration and misbranding of Large Round Worm Rx and misbranding of Korum. U. S. v. 287 Bottles, etc. (F. D. C. No. 20559. Sample Nos. 66888-H, 66889-H.)

LIBEL FILED: August 1, 1946, District of Nebraska.

ALLEGED SHIPMENT: On or about June 26, 1946, from Kansas City, Mo., to Lincoln, Nebr. The products were shipped by the I. D. Russell Co., via a common carrier, and a number of pamphlets relating to the products were personally transported by the consignee.

PRODUCT: 409 bottles of *Korum* and 80 packages of *Large Round Worm Rx* at Lincoln, Nebr., together with 400 pamphlets entitled "Russell's Poultry Medicines and Biologics." The bottles were in 1-gallon, ½-gallon, 1-quart, and 1-pint sizes, and the packages were in 7-ounce and 14-ounce sizes. Analyses disclosed that the *Korum* consisted of 90 percent water, with small amounts of sodium chlorate, potassium dichromate, saltpeter, and epsom salt; and that the *Large Round Worm Rx* consisted of nicotine sulfate 3 percent, copper and iron sulfates, and plant drugs such as areca nuts, capsicum, kamala, aniseed, and nux vomica.

NATURE OF CHARGE: *Large Round Worm Rx*. Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, i. e., nicotine sulfate 6 percent, since the article contained not more than 3 percent of nicotine sulfate. Misbranding, Section 502 (a), certain statements on the label of the article and in the pamphlets were false and misleading, since they represented and suggested that the article was effective as an aid in the control of large roundworms or any other species of worms which infest poultry. The article was not effective for such purposes.

Korum. Misbranding, Section 502 (a), certain statements on the label of the article and in the pamphlets were false and misleading, since they represented and suggested that the article was effective as a mild astringent for chicks, pullets, layers and breeders, turkeys, and poults, and that the article was effective in the prevention and treatment of disease conditions of poultry. The article was not effective for such purposes.

DISPOSITION: February 20, 1948. I. D. Russell Co., claimant, having withdrawn its claim and answer, and the libel being considered as confessed for default of pleading or answer, judgment of condemnation was entered. The court ordered that the product be destroyed and that the cost of the proceedings be taxed against the claimant.

2374. Action to enjoin and restrain the interstate shipment of prophylactics. U. S. v. Perfection Rubber Co., William B. Augustine, Ralph N. Turnbaugh, and M. E. Turnbaugh. Injunction granted. (Inj. No. 122.)

COMPLAINT FILED: October 19, 1945, Northern District of Ohio, against the Perfection Rubber Co., a corporation, Akron, Ohio, William B. Augustine, president, Ralph N. Turnbaugh, vice-president, and M. E. Turnbaugh, secretary and treasurer.

NATURE OF CHARGE: That the defendants since about November 1938, had been engaged and were still engaged in the business of manufacturing, purchasing, packing, distributing, and selling quantities of devices, and were causing the